IN THE HIGH COURT OF JUDICATURE AT BOMBAY

IN INSOLVENCY
NOTICE NO. N/335 OF 2006

Re. M/s.Amar Bitumen & Allied Products
Pvt.Ltd.and others ... Judgment Debtors

Ex-parte :-
Jankalyan Sahakari Bank Ltd. ... Judgment Creditor

WITH
NOTICE NO.N/338 OF 2006

Re. M/s.Amar Bitumen & Allied Products
Pvt.Ltd. & others ... Judgment Debtors

Ex-parte :-
Jankalyan Sahakari Bank Ltd. ... Judgment Creditor

WITH
NOTICE NO. N/161 OF 2007

Re.M/s.Geo Earth Movers & others ... Judgment Debtors

Ex-parte :-
Jankalyan Sahakari Bank Ltd. ... Judgment Creditor

WITH
NOTICE NO. N/162 OF 2007

Re.M/s.M.Baker Auto Refinishing Pvt.Ltd. & Others
... Judgment Debtors
Ex-parte :-
Jankalyan Sahakari Bank Ltd. ... Judgment Creditor

WITH
NOTICE NO. N/163 OF 2007

Re.M/s.Madhurya Investment & Trading Pvt.Ltd. & Others
... Judgment Debtors

Ex-parte :-
Jankalyan Sahakari Bank Ltd. ... Judgment Creditor

WITH
NOTICE NO. N/164 OF 2007

Re.M/s.ahuja Bulk Carriers and others ... Judgment Debtors

Ex-parte :-
Jankalyan Sahakari Bank Ltd. ... Judgment Creditor

WITH
NOTICE NO. N/165 OF 2007

Re. M/s.Western Steel Sales and others ... Judgment Debtors

Ex-parte :-
Jankalyan Sahakari Bank Ltd. ... Judgment Creditor

WITH
NOTICE NO. N/166 OF 2007

Re.M/s.ahuja Bulk Carriers and others ... Judgment Debtors

Ex-parte :-
Jankalyan Sahakari Bank Ltd. ... Judgment Creditor

WITH
NOTICE NO. N/167 OF 2007

Re.M/s.Marwah Tyres and others ... Judgment Debtors

Ex-parte :-
Jankalyan Sahakari Bank Ltd. ... Judgment Creditor

WITH
NOTICE NO. N/168 OF 2007

Re.M/s.Western Steel Sales and others ... Judgment Debtors

Ex-parte :-
Jankalyan Sahakari Bank Ltd. ... Judgment Creditor

WITH
NOTICE NO. N/169 OF 2007

Re.M/s.Ahuja Bulk Carriers and others ... Judgment Debtors

Ex-parte :-
Jankalyan Sahakari Bank Ltd. ... Judgment Creditor

WITH
NOTICE NO. N/170 OF 2007

Re.M/s.Ahuja Bulk Carriers and others ... Judgment Debtors

Ex-parte :-
Jankalyan Sahakari Bank Ltd. ... Judgment Creditor

WITH
NOTICE NO. N/171 OF 2007

Re.M/s.Ahuja Bulk Carriers and another ... Judgment Debtors

Ex-parte :-
Jankalyan Sahakari Bank Ltd. ... Judgment Creditor

WITH
NOTICE NO. N/172 OF 2007

Re.M/s.Marwah Tyres and others ... Judgment Debtors

Ex-parte :-
Jankalyan Sahakari Bank Ltd. ...Judgment Creditor

WITH
NOTICE NO. N/173 OF 2007

Re.M/s.Arcee Traders and others ... Judgment Debtors

Ex-parte :-
Jankalyan Sahakari Bank Ltd. ... Judgment Creditor

WITH
NOTICE NO. N/174 OF 2007

Re.M/s.Arcee Gums and another ... Judgment Debtors

Ex-parte :-
Jankalyan Sahakari Bank Ltd. ... Judgment Creditor

WITH
NOTICE NO. N/175 OF 2007

Re.M/s.Suryasun Paints P.Ltd. and ors ... Judgment Debtors

Ex-parte :-
Jankalyan Sahakari Bank Ltd. ... Judgment Creditor

WITH
NOTICE NO. N/176 OF 2007

Re.M/s.Suryasun Paints P.Ltd. and ors. ... Judgment Debtors

Ex-parte :-
Jankalyan Sahakari Bank Ltd. ... Judgment Creditor

WITH
NOTICE NO. N/177 OF 2007

Re.M/s.Suryasun Paints P.Ltd. and ors. ... Judgment Debtors

Ex-parte :-
Jankalyan Sahakari Bank Ltd. ... Judgment Creditor

WITH
NOTICE NO. N/178 OF 2007

Re.M/s.Polycot Hosiery and others ... Judgment Debtors

Ex-parte :-
Jankalyan Sahakari Bank Ltd. ... Judgment Creditor

WITH
NOTICE NO. N/179 OF 2007

Re.M/s.Polycot Hosiery and others ... Judgment Debtors

Ex-parte :-
Jankalyan Sahakari Bank Ltd. ... Judgment Creditor

WITH
NOTICE NO. N/180 OF 2007

Re.M/s.Polycot Hosiery and others ... Judgment Debtors

Ex-parte :-
Jankalyan Sahakari Bank Ltd. ... Judgment Creditor

WITH
NOTICE NO. N/181 OF 2007

Re.M/s.Salasar Resins and Allied Company ... Judgment Debtors

Ex-parte :-
Jankalyan Sahakari Bank Ltd. ... Judgment Creditor

Mr.Vishal Kanade with Mr.Nikhil Rajani Advocates i/b
M/s.V.Deshpande & Company for Judgment Creditors.

CORAM: A.S.OKA,J.
DATE : SEPTEMBER 18,2007

P.C.:

1. This insolvency notice is taken out on the basis of a recovery certificate issued under section 101 of the Maharashtra Co-operative Societies Act,1960. In view of the decision of this court dated 4th September 2007 in the Notice of Motion No.40 of 2007 (Re.Kishore K. Mehta) and other connected matters, an insolvency notice under sub section 2 of section 9 of the Presidency Towns Insolvency Act,1909 is not maintainable on the basis of a recovery certificate issued

under section 101 of the said Act of 1960. Only on this ground, insolvency notice stands dismissed.

JUDGE